

REMARKS

The Examiner rejected to Claims 1-4 under 35 U.S.C. 102(b) as being anticipated by Fleming. Applicant traverses this rejection. The Examiner has the burden of showing by reference to the cited art each claim limitation in the reference. Anticipation under 35 U.S.C. 102 requires that each element of the claim in issue be found either expressly or inherently in a single prior art reference. *In re King*, 231 USPQ 136, 138 (Fed. Cir. 1986); *Kalman v. Kimberly-Clark Corp.*, 218 USPQ 781, 789 (Fed. Cir. 1983). The mere fact that a certain thing may result from a given set of circumstances is not sufficient to sustain a rejection for anticipation. *Ex parte Skinner*, 2 USPQ2d 1788, 1789 (BdPatApp&Int 1986). "When the PTO asserts that there is an explicit or implicit teaching or suggestion in the prior art, it must indicate where such a teaching or suggestion appears in the reference" (*In re Rijckaert*, 28 USPQ2d, 1955, 1957).

With reference to Claim 1, the Examiner identifies A and protrusions 160 and 170 shown in Fleming as the bottom electrode. The Examiner goes on to identify layer 140 as the light-emitting layer. Applicant submits that light-emitting layer 140 does not cover the bottom electrode identified by the Examiner. The New Oxford Dictionary defines "cover" as to "envelop in a layer of something". In particular, the sidewalls of the protrusions 170 are not covered by layer 140. Accordingly, Applicant submits that the Examiner has failed to make a *prima facie* case for anticipation with reference to Claim 1 or the claims dependent therefrom.

With regards to Claim 4, the Examiner maintains that Fleming discloses that protrusions provide increased light output. According to the Examiner, the fact that the protrusions divide the device into a plurality of pixels is evidence that the protrusions provide increased light output. Applicant must disagree with the Examiner's argument. First, the issue is whether the size and spacing of the protrusions are chosen to provide increased light output. The Examiner has not pointed to any such teaching in Fleming. Second, the mere fact that the emissive area is divided into a plurality of smaller emissive areas does not imply that the light output of the total area is larger. If anything, the light output is less, since the areas under the barriers taught in Fleming do not emit light.

I hereby certify that this paper is being sent by FAX to 703-872-9318.

Respectfully Submitted,



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